

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) No.
APPROXIMATELY 352.65 ACRES)
KNOWN AS CAMP ZOE LOCATED IN)
SHANNON COUNTY, MISSOURI, and)
Further described as:)
Approximately 330 acres described as:)
The West Half of the Northeast Quarter; the)
East Half of the Northwest Quarter; the East)
Half of the West Half of the Northwest)
Quarter; the East Half of the Southwest)
Quarter; the East Half of the Northwest)
Quarter of the Southwest Quarter; the North)
Half of the Southwest Quarter of the)
Southwest Quarter; the Southeast Quarter of)
the Southwest Quarter of the Southwest)
Quarter; all in Section 8, Township 30)
North, Range 4 West,)
Shannon County, Missouri, and)
Approximately 22.65 acres described as:)
Tract 1: The West Half of the Northwest)
Quarter of the Southwest Quarter of Section)
8, Township 30 North, Range 4 West; and,)
Tract 2: All that part of Lot No. 5 of Section)
7, Township 30 North, Range 4 West, lying)
easterly of the right-of-way line of)
State Highway No. 19.)
with all appurtenances)
improvements and fixtures thereon,)
Defendant.)

VERIFIED COMPLAINT OF FORFEITURE

Comes now plaintiff, the United States of America, by and through its attorneys, Richard G. Callahan, United States Attorney for the Eastern District of Missouri, and Julia M. Wright, Assistant

United States Attorney for said District, and in a civil cause of action for forfeiture alleges as follows:

1. In this *in rem* civil action the United States seeks forfeiture of certain real property pursuant to the provisions to Title 21, United States Code, Section 881(a)(7).
2. Subject Matter Jurisdiction of this Court is based on Title 28, United States Code, Sections 1345, 1355(a), and Title 21, United States Code, Section 881. *In rem* jurisdiction is based on Title 28, United States Code, Section 1355. Venue is proper in this district pursuant to Title 28, United States Code, Section 1355 &1395 and Title 21, United States Code, Section 881(j).
3. The defendant 352.65 acres of real property, which includes all appurtenances, improvements and fixtures thereon, is located in Shannon County, Missouri, and is more particularly described as:

Approximately 330 acres of land known as Camp Zoe, and further described as:

The West Half of the Northeast Quarter; the East Half of the Northwest Quarter; the East Half of the West Half of the Northwest Quarter; the East Half of the Southwest Quarter; the East Half of the Northwest Quarter of the Southwest Quarter; the North Half of the Southwest Quarter of the Southwest Quarter; the Southeast Quarter of the Southwest Quarter of the Southwest Quarter; all in Section 8, Township 30 North, Range 4 West, Shannon County, Missouri, and

Approximately 22.65 acres of land known as Camp Zoe, and further described as:

Tract 1: The West Half of the Northwest Quarter of the Southwest Quarter of Section 8, Township 30 North, Range 4 West; and,

Tract 2: All that part of Lot No. 5 of Section 7, Township 30 North, Range 4 West, lying easterly of the right-of-way line of State Highway No. 19.

4. The defendant real property was knowingly opened, leased, rented, used, or maintained for the purpose of manufacturing, distributing, or using controlled substances, and was managed or controlled and knowingly rented, leased, profited from, or made available for the use for the

purpose of unlawfully manufacturing, storing, distributing, or using controlled substances, all in violation of Title 21, United States Code, Section 856.

5. The defendant real property has a value of approximately six hundred thousand dollars (\$600,000.00).

6. Of the 352.65 acres of defendant real property, 330 acres is currently titled in the name of James Tebeau and 22.65 acres is currently titled in the name of Zoe Campitheater LLC. James Tebeau is the owner of Zoe Campitheater, LLC.

7. The plaintiff alleges the defendant property is subject to forfeiture and for its reasons states as follows:

8. Since May, 2004, James Tebeau (Tebeau) has been involved in the operation of music festivals known as "Schwagstock" or "Schwag Festivals" in Shannon County, Missouri. These music festivals take place over the course of various weekends from April through October each year on approximately 352.65 acres near the Current River known as "Camp Zoe". This property is owned or controlled by James T. Tebeau.

9. Beginning in 2006, the Missouri State Highway Patrol, working with the Drug Enforcement Administration and other law enforcement agencies, began an investigation of James Tebeau and illegal activities occurring at Camp Zoe. Pursuant to information revealed through law enforcement surveillance, undercover operations, source information, bank records, and interviews, law enforcement agents have learned of the extensive use of and sale of numerous drugs and controlled substances at Camp Zoe by attendees of the festivals held at Camp Zoe. Over the past several years, law enforcement agents have specifically observed the open sales of cocaine, marijuana, LSD (acid), ecstasy, psilocybin mushrooms, opium, and marijuana-laced food products

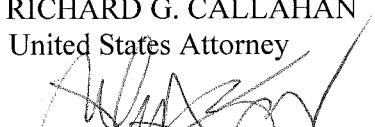
by individuals attending the music festival and have made multiple undercover purchases of illegal drugs. Undercover purchases have been made on the defendant property as recently as September, 2010. Many of the illegal drug transactions were conducted while Camp Zoe staff members, including the owner Tebeau, were in the immediate area and took no action to prevent the activity. Throughout the 2009 and 2010 festival seasons, undercover officers have identified several known drug traffickers at Camp Zoe from whom they have purchased illegal drugs at multiple events.

10. By reason of these premises, the defendant real property is subject to forfeiture to the United States, pursuant to the provisions of Title 21, United States Code, Section 881(a)(7) and Title 18, United States Code, Section 981(a)(1)(C).

WHEREFORE, Plaintiff prays that a Warrant for Arrest issue for the defendant real property and the defendant real property be condemned and forfeited to the United States of America, in accordance with the provisions of law; and that the plaintiff be awarded its costs in this action, and have such other relief as provided by law and that the nature of the case may require.

Respectfully submitted,

RICHARD G. CALLAHAN
United States Attorney



JULIA M. WRIGHT, 4450
Assistant United States Attorney
111 South Tenth Street, 20th Floor
St. Louis, Missouri 63102
314/538-2200
Julia.wright@usdoj.gov

VERIFICATION

I, Special Agent Darrell Spain, hereby verify and declare under penalty of perjury that I am a Special Agent with the United States Drug Enforcement Administration, that I have read the foregoing Verified Complaint *in rem* and know the contents thereof, and that the matters contained in the Verified Complaint are true to my own knowledge, except that those matters herein stated to be alleged on information and belief and as to those matters I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Special Agent of the Drug Enforcement Administration.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 8, 2010
(date)

Darrell Spain
DARRELL SPAIN
Special Agent
Drug Enforcement Administration